



ఆంధ్రప్రదేశ్ రాజపత్రము

THE ANDHRA PRADESH GAZETTE

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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

CHIEF EXECUTIVE OFFICER, A. P. STATE WAQF BOARD,

4th FLOOR, IMDADGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.

F.No.19 / T / KNL / 2012 / IV.

Date: 27-12-2022.

KURNOOL DISTRICT - DARGAH HAZRATH KHADER LINGA SITUATED AT KOWTHALAM, MANDAL AND VILLAGE - Sri SYED MUNNA PASHA CHISTHY JAGIRDAR, S/o. Late SYED SHAH SAHEB PEER CHISTHY JAGIRDAR RECOGNIZED AS MUTAWALLI U/Sec.42 OF THE WAQF ACT, 1995.

Read : 1. Report of the I.A.Waqfs, Kurnool District, vide Lr.No.20/Waqfs/AND /KNL/ 2022, dated:21-03-2022 along representation of Sri.Syed Munna Pasha Chisthy Jagirdar, S/o. late Syed Shah Saheb Peer Chisthy Jagirdar, dated.17-02-2022.

2. This Office Notification, dated:02-08-2022

3. Report of the I.A.Waqfs, Kurnool District, vide Lr.No.20/Waqfs/ Kowthalam /KNL/2020, dated:29-08-2022 along with paper notification publication in Andhra Jyothi Telugu daily District edition of Kurnool, Dated.12-08-2022.

4. Board's Resolution No.473 of 2022, dated:11-10-2022.

5. Orders of the Hon'ble Chairperson, APSWB, dated.14-10-2022.

ORDER:

The Waqf institutions namely Dargah Hazrath Khader Linga situated at Kowthalam Village and Mandal of Kurnool District is a notified Waqf and got published in AP Gazette No.18-A, Part-II, Dated:02-05-1963 at serial No. 1585 in page No. 20 & 21. The said institution is having attached landed property in Sy No.240 to an extent of Ac. 6.23 cts, Sy No.286 to an extent of Ac.22.87 cts, Sy No.266 to an extent of Ac.6.41 cts and Sy No.267 to an extent of Ac. 2.60 cts located at Kowthalam Village total to an extent of Ac.38.11 cts under the Towliath of Syed Asadulla Saheb and the Rule of succession to the office of the Mutawalli specified as Hereditary by custom.

In the ref. 1st read above, the Inspector Auditor Waqfs, Adoni Division of Kurnool District has submitted a report along with representation of Sri.Syed Munna Pasha Chisty Jagirdar, S/o. late Syed Shah Saheb Peer Chisty Jagirdar R/o.Kowthalam Village and Mandal of Kurnool District that the Board has appointed to Syed Shah Peer Saheb Chisty Jagirdar as Mutawalli to the subject Dargah vide Borad's proceedings No.B3/16/KNL/98, dt.28-11-1998 without specifying tenure of time and he also expired on 25-01-2022, after that the applicant Sri.Syed Munna Pasha Chisty Jagirdar, S/o. late Syed Shah Saheb Peer Chisty Jagirdar has managing the Dargah. The entire attached properties to an extent of Ac.22.87 cts of Kowthalam Village are under the illegal occupation of third parties since long back.

Further, the I.A. Waqfs, Kurnool District has the applicant is legal Heir of Mutawalli and the applicant has paying the Waqf fund up to 2021-2022 from the Hund Collection and donations and submitted Audit reports of Dargah, Death Certificate and family member Certificate of late Syed Shah Saheb Peer Chisty Jagirdar and NOC from the family members. Finally the I.A.Waqfs, Adoni Division of Kurnool District has recommended the candidature of the applicant for recognition of Mutawalli to better management of Waqf institution.

As the further course of action, this office has issued paper notification for calling claims and objections if any for recognition of Sri.Syed Munna Pasha Chisty Jagirdar, S/o. late Syed Shah Saheb Peer Chisty Jagirdar as Mutawalli in place of his grandfather late Syed Asadulla Saheb U/sec.42 of Waqf Act, 1995 to the subject Waqf institution and its attached properties may file their claims and objection within a period of (15) days from the date of Publication of this Notification with documentary evidence vide ref. 2nd read above. The Inspector Auditor Waqf, Kurnool District has submitted report in the ref.3rd read above that the above said paper notification was published in

Andhra Jyothi Telugu daily District edition of Kurnool on 12-08-2022 and there were no claims & objections received against the said notification.

The subject matter was placed before the Board and the Board has passed resolution No.473 of 2022, dated.11-10-2022 in the ref.4th read above to recognize Sri.Syed Munna Pasha Chisthy Jagirdar, S/o. late Syed Shah Saheb Peer Chisthy Jagirdar as Mutawalli of Dargah Hazrath Khader Linga situated at Kowthalam Village and Mandal , Kurnool District U/sec.42 of Waqf Act, 1995 .

Accordingly, Sri.Syed Munna Pasha Chisthy Jagirdar, S/o. late Syed Shah Saheb Peer Chisthy Jagirdar is hereby recognized as Mutawalli to Dargah Hazrath Khader Linga situated at Kowthalam Village and Mandal , Kurnool District U/sec.42 of Waqf Act, 1995 for managing the affairs of the subject Waqf Institution by following Waqf Act,1995 and Waqf Rules and to take legal action for recovery of the notified Waqf properties.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not be entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal

Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3(ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

L. ABDUL KHADIR,
Chief Executive Officer,
A.P. State Waqf Board, Vijayawada.

To

Sri.Syed Munna Pasha Chisthy Jagirdar,
S/o. late Syed Shah Saheb Peer Chisthy Jagirdar,
Mutawalli of Dargah Hazrath Khader Linga,
Kowthalam Village and Mandal, Kurnool District,

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